

Attorney Docket No. 9286.7
Application Serial No.: 10/019,902
Page 13 of 15

Remarks

Claims 1-12, 14-16, 18, 20, 23 and 25-29 are pending in this application. Claims 7, 25, 26 and 29 are canceled herein without prejudice. Claims 1, 8, 10, 12, 15, 18, 23, 27 and 28 are amended herein for clarity and to more particularly define the invention. Support for these claims amendments can be found throughout the specification and in the language of the claims as originally filed. It is believed that no new matter is added by these amendments and applicants respectfully request their entry and examination on their merits.

Restriction

In the Office Action, the pending claims 1-12, 14-16, 18, 20, 23 and 25-29 have been restricted as follows.

Group I. Claims 1-12, 14-16, 18, 20, 27 and 28, drawn to a compound wherein at least one R must be a ligand suitable for specific bonding to a receptor, a marker molecule, or a catalytically active group; aggregates thereof; a method of changing the structure of the aggregate; a method of preparing a drug comprising the compound; and a method of treating disease by administering the compound.

Group II. Claims 23, 25 and 26, drawn to a compound which lacks any R moieties as in group I and instead has hydrogen in their place(s); a method for preparing a drug comprising the compound; and a method of treating disease by administering the compound.

Group III. Claim 29, drawn to a method of preparing a diagnostic test which comprises providing a test reagent, preparing a compound as described in group I, and comparing the test reagent to the compound.

Election of Claims

Applicants elect Group I (claims 1-12, 14-16, 18, 20, 27 and 28) and species A, mono- or oligosaccharides with traverse. Applicants interpret the species of mono- or oligosaccharides to include the species and derivatives or mimetics thereof as provided on pages 7 and 8 of the

Attorney Docket No. 9286.7
Application Serial No.: 10/019,902
Page 14 of 15

specification. Claim 23 is amended herein to include the unifying concepts of Group I and thus should be included in Group I. Claims readable in the elected species are 1-6, 9-12, 14-16, 18, 20, 23, 27 and 28. The election of species is made with the understanding that upon allowance of a generic claim, Applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141.

Applicants traverse this restriction on the basis that the Examiner has not demonstrated that the requirements for claim restriction have been met. In particular, it is stated in section 803 of the MPEP that two criteria for proper restriction of claims must be met: 1) The inventions must be independent and distinct as claimed, AND 2) there must be a serious burden on the examiner if restriction is required. The MPEP further states that “[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.”

In particular, the Examiner has not met the second criterion because there is no evidence provided that it would be a serious burden to examine the instant claims together. The MPEP states that “[f]or purposes of the initial requirement, a serious burden on the examiner may be *prima facie* shown if the examiner shows by appropriate explanation of separate classification, or separate status in the art, or a different field of search as defined in MPEP 808.02.” However, the Examiner has not even provided a classification for these allegedly separate inventions.

However, in order to expedite the prosecution of the present application to allowance, claims 7, 23, 25, 26 and 29 are canceled herein without prejudice.

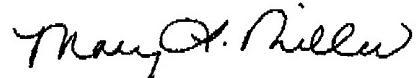
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NO. 5892 P. 18

Attorney Docket No. 9286.7
Application Serial No.: 10/019,902
Page 15 of 15

Applicants hereby authorize The Commissioner to charge Deposit Account No. 50-0220 in the amount of \$2,010.00 for a five month extension of time. Applicants believe that this amount is correct. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,

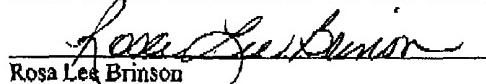


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**CERTIFICATION OF FACSIMILE TRANSMISSION
UNDER 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office via the central facsimile number 703-872-9306 on January 21, 2004.



Rosa Lee Brinson